

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

TAVON HOWARD,

Plaintiff,

v.

Civil Action No. 24-cv-2199-LKG

BERNICE MACE,

Defendant.

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**DEFENDANT BURNICE MACE, CRNP’S MOTION TO DISMISS OR,  
ALTERNATIVELY, FOR SUMMARY JUDGMENT**

Defendant Burnice Mace, CRNP (“Mace”), through counsel, moves for dismissal pursuant to Federal Rule of Civil Procedure 12(b)(6) or, alternatively, for summary judgment pursuant to Federal Rule of Civil Procedure 56 on the following grounds:

1. Plaintiff’s Complaint fails to state a claim upon which relief may be granted.
2. There is no genuine dispute of material fact and Mace is entitled to judgment as a matter of law.
3. The grounds for this Motion are stated fully in the Memorandum of Law submitted herewith.

WHEREFORE, Burnice Mace, CRNP respectfully requests that the Court dismiss the Complaint or enter summary judgment in her favor.

**MARKS, O'NEILL, O'BRIEN, DOHERTY &  
KELLY, P.C.**

By: /s/ Megan T. Mantzavinos  
Megan T. Mantzavinos  
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*Attorney for Defendant Burnice Mace, CRNP*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 19<sup>th</sup> day of November 2024, a copy of the foregoing document was electronically transmitted to this court and mailed first class, postage pre-paid to:

Tavon Howard, #495946/ #2682376  
Western Correctional Institution  
13800 McMullen Hwy., SW  
Cumberland, MD 21502  
*Pro Se Plaintiff*

/s/ Megan T. Mantzavinos  
Megan T. Mantzavinos